

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

**BLACK WARRIOR RIVER-  
KEEPER, INC.,**

**Plaintiff,**

**v.**

**DRUMMOND COMPANY, INC.,**

**Defendant.**

Civil Action Number  
**2:16-CV-01443-AKK**

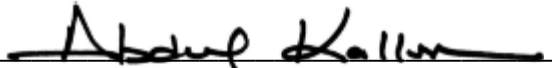
**ORDER**

The court has for consideration the defendant's motion to continue, doc. 108, which the plaintiff opposes, doc. 109. For good cause shown—in particular, that the postponement will aid in the ultimate goal of this lawsuit—the motion, doc. 108, is **GRANTED**. All deadlines related to the current trial setting are **CANCELED**, and the trial is **RESET** for May 9–20, 2022, at 9:00 a.m. at the Hugo L. Black U.S. Courthouse in Birmingham, Alabama. The court will hold another pretrial conference on April 4, 2022, at 2:30 p.m., at the same courthouse.

The court also has reviewed the parties' supplemental memoranda related to the Supreme Court's decision in *Cty. of Maui v. Hawai'i Wildlife Fund*, 140 S. Ct. 1462 (2020). Docs. 106, 107. The court treats the plaintiff's submission as a renewed motion for summary judgment. The court therefore **ORDERS** that the

defendant's response is due on September 29, 2021, and the plaintiff's reply is due on October 11, 2021.

**DONE** the 8th day of September, 2021.

  
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**ABDUL K. KALLON**  
UNITED STATES DISTRICT JUDGE